

FILED/ACCEPTED

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

MAY - 9 2011

Federal Communications Commission  
Office of the Secretary

In the Matter of )

MARITIME COMMUNICATIONS/LAND )  
MOBILE, LLC )

EB Docket No. 11-71  
File No. EB-09-IH-1751  
FRN: 0013587779

Participant in Auction No. 61 and Licensee of Various )  
Authorizations in the Wireless Radio Services )

Applicant for Modification of Various )  
Authorizations in the Wireless Radio Services )

Applicant with ENCANA OIL AND GAS (USA), INC.; )  
DUQUESNE LIGHT COMPANY; DCP )  
MIDSTREAM, LP; JACKSON COUNTY RURAL )  
MEMBERSHIP ELECTRIC COOPERATIVE; )  
PUGET SOUND ENERGY, INC.; ENBRIDGE )  
ENERGY COMPANY, INC.; INTERSTATE POWER )  
AND LIGHT COMPANY; WISCONSIN POWER )  
AND LIGHT COMPANY; DIXIE ELECTRIC )  
MEMBERSHIP CORPORATION, INC.; ATLAS )  
PIPELINE - MID CONTINENT, LLC; DENTON )  
COUNTY ELECTRIC COOPERATIVE, INC., )  
DBA COSERV ELECTRIC; AND SOUTHERN )  
CALIFORNIA REGIONAL RAIL AUTHORITY )

Application File Nos.  
0004030479, 0004144435,  
0004193028, 0004193328,  
0004354053, 0004309872,  
0004310060, 0004314903,  
0004315013, 0004430505,  
0004417199, 0004419431,  
0004422320, 0004422329,  
0004507921, 0004153701,  
0004526264, 0004636537,  
and 0004604962

For Commission Consent to the Assignment of Various )  
Authorizations in the Wireless Radio Services )

NOTICE OF APPEARANCE

By its attorneys and pursuant section 1.221(c) of the rules and regulations of the Federal Communications Commission's ("Commission"),<sup>1</sup> Atlas Pipeline - Mid Continent, LLC ("Atlas"), DCP Midstream, LP ("DCP"), Enbridge Energy Company, Inc. ("Enbridge"), EnCana Oil and Gas (USA), Inc. ("Encana") and Jackson County Rural Membership Electric

<sup>1</sup> 47 C.F.R. § 1.221(c).

No. of Copies rec'd 046  
List ABCDE

Cooperative ("Jackson County RMEC") (collectively, the "Parties"), hereby file this written Notice of Appearance stating their intention to appear on the date fixed for Hearing and present evidence on the issues specified in the Hearing Designation Order released in this proceeding on April 19, 2011.<sup>2</sup>

The Commission does not require the payment of filing fees by parties "designated for hearing in a renewal, assignment/transfer, or revocation proceeding."<sup>3</sup> Since the Parties' participation in the Hearing Designation Order involves their pending assignment applications in the context of a license revocation proceeding, a filing fee does not appear to be required. To the extent a filing fee is required, the Parties have so notified the Office of the Managing Director and requested a deferral of such fees. A copy of the request for deferral of fees is attached.

Respectfully submitted,

By: 

Jack Richards ([richards@khlaw.com](mailto:richards@khlaw.com))  
Wesley K. Wright ([wright@khlaw.com](mailto:wright@khlaw.com))  
Keller and Heckman LLP  
1001 G Street NW  
Suite 500 West  
Washington, D.C. 20001  
p: (202) 434-4210  
f: (202) 434-4646  
*Counsel for the Parties*

May 9, 2011

**Attachments: Request for Deferral of Fees  
Certificate of Service**

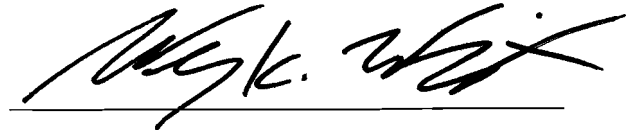
---

<sup>2</sup> *In re Maritime Communications/Land Mobile, LLC*, Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing, FCC 11-64 (rel. Apr. 19, 2011).

<sup>3</sup> According to the Commission, renewal, assignment/transfer, and revocation proceedings "are in the nature of an enforcement action against a licensee and the imposition of a fee against the licensee would be inconsistent with the licensee's right to a hearing." *In re Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985*, 2 FCC Rcd 947 ¶143.

## CERTIFICATE OF SERVICE

I, Wesley K. Wright, hereby certify that on this 9th day of May, 2011, a copy of the foregoing Notice of Appearance was transmitted to the Office of Administrative Law Judges via fax number (202) 418-0195 pursuant to the Order (FCC 11M-11) and served on the parties listed below via First Class U.S. Mail with courtesy copies provided by electronic delivery.



Wesley K. Wright

Marlene H. Dortch (hand delivery)(three copies)  
Secretary  
Federal Communications Commission  
445 12th Street, S.W. Room TW-A325  
Washington, D.C. 20554

Hon. Richard L. Sippel (fax, email)  
Chief Administrative Law Judge  
Office of the Administrative Law Judge  
Federal Communications Commission  
445 12th Street  
Washington, D.C. 20554

Patricia J. Paoletta, Esq.  
Wiltshire & Grannis LLP  
1200 18<sup>th</sup> Street, N.W., Suite 1200  
Washington, DC 20036  
*Counsel for Maritime Communications/Land Mobile, LLC*

EnCana Oil and Gas (USA), Inc.  
ATTN: Dean Purcelli  
1400 North Dallas Parkway, Suite 1000  
Dallas, TX 75240

Duquesne Light Company  
ATTN: Lee Pillar  
2839 New Beaver Avenue  
Pittsburgh, PA 15233

Michael R. Powers  
Interstate Power and Light Company & Wisconsin Power and Light Company  
PO Box 769  
1000 Main Street  
Dubuque, IA 52004

DCP Midstream LP  
ATTN: Mark Standberry  
6175 Highland Avenue  
Beaumont, TX 77705

Jackson County Rural Membership Electric Cooperative  
ATTN: Brad Pritchett  
274 E. Base Road  
Brownstown, IN 47220

Jeffrey L. Sheldon  
Fish and Richardson P.C.  
1425 K St. NW  
11<sup>th</sup> Floor  
Washington, DC 20005  
*Counsel for Puget Sound Energy, Inc.*

Puget Sound Energy, Inc.  
ATTN: Rudy Wolf  
P.O. Box 97034  
10885 NE 4<sup>th</sup> Street  
Bellevue, WA 98009-9734

Enbridge Energy Company, Inc.  
ATTN: Telecom  
1001 G Street, N.W., Suite 500 West  
Washington, DC 20001

Kurt E. DeSoto, Esq.  
Wiley Rein LLP  
1776 K Street, N.W.  
Washington, DC 20006  
*Counsel for Interstate Power and Light Company*

Kurt E. DeSoto, Esq.  
Wiley Rein LLP  
1776 K Street, N.W.  
Washington, DC 20006  
*Counsel for Wisconsin Power and Light Company*

Dixie Electric Membership Corporation, Inc.  
ATTN: John D. Vranic  
16262 Wax Road  
Greenwell Springs, LA 70739

Atlas Pipeline – Mid Continent LLC  
ATTN: James Stepp  
110 W 7<sup>th</sup> Street, Suite 2300  
Tulsa, OK 74119

Mona Lee & Associates  
ATTN: Mona Lee  
3730 Kirby Drive, Suite 1200, PMB 165  
Houston, TX 77098  
*Contact for Atlas Pipeline – Mid Continent LLC*

Denton County Electric Cooperative, Inc. dba CoServ Electric  
ATTN: Chris Anderson, Project Mgr. – IS  
7701 S. Stemmons  
Corinth, TX 76210-1842

Robert J Miller  
Gardere Wynne Sewell LLP  
1601 Elm Street, Suite 2800  
Dallas, TX 75201  
*Counsel for Denton County Electric Cooperative, Inc.*

Al Catalano  
Catalano & Plache, PLLC  
3221 M Street, NW  
Washington, DC 20007  
*Counsel for Dixie Electric Membership Corporation, Inc.*

Fletcher Heald & Hildreth, PLC  
ATTN: Paul J. Feldman  
1300 N. 17<sup>th</sup> Street, 11<sup>th</sup> Fl.  
Arlington, VA 22209  
*Counsel for Southern California Regional Rail Authority*

Gardere Wynne Sewell LLP  
Robert J Miller  
1601 Elm Street, Suite 2800  
Dallas, TX 75201

*Counsel for Denton County Electric Cooperative, Inc. dba CoServ Electric*

Warren C. Havens  
President  
Environmental LLC  
2509 Stuart Street (principal office)  
Berkeley, CA 94705

Warren C. Havens  
President  
Intelligent Transportation & Monitoring Wireless LLC  
2509 Stuart Street (principal office)  
Berkeley, CA 94705

Warren C. Havens  
President  
Skybridge Spectrum Foundation  
2509 Stuart Street (principal office)  
Berkeley, CA 94705

Southern California Regional Rail Authority  
ATTN: Darrel Maxey  
700 S. Flower Street, Suite 2600  
Los Angeles, CA 90017

Warren C. Havens  
President  
Telesaurus Holdings GB LLC  
2509 Stuart Street (principal office)  
Berkeley, CA 94705

Warren C. Havens  
President  
Verde Systems LLC  
2509 Stuart Street (principal office)  
Berkeley, CA 94705

Warren C. Havens  
President  
V2G LLC  
2509 Stuart Street (principal office)  
Berkeley, CA 94705

Warren C. Havens  
2509 Stuart Street  
Berkeley, CA 94705

1001 G Street, N.W.  
Suite 500 West  
Washington, D.C. 20001  
tel. 202.434.4100  
fax 202.434.4646

Writer's Direct Access  
**Jack Richards**  
(202) 434-4210  
richards@khlaw.com

May 6, 2011

**Via Electronic Mail and First Class U.S. Mail**

Steven VanRoekel  
Managing Director  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Re: Request for Deferral of Fees

***In re Maritime Communications/Land Mobile, LLC, Order to Show Cause,  
Hearing Designation Order, and Notice of Opportunity for Hearing, EB  
Docket No. 11-71, FCC 11-64***

Dear Mr. VanRoekel:

We represent five companies -- Atlas Pipeline -- Mid Continent, LLC ("Atlas"), DCP Midstream, LP ("DCP"), Enbridge Energy Company, Inc ("Enbridge"), EnCana Oil and Gas (USA), Inc ("Encana"), and Jackson County Rural Membership Electric Cooperative (Jackson County RMEC") (collectively, the "Parties") -- whose applications for assignment of licenses from Maritime Communications/Land Mobile LLC ("MC/LM") have been designated for hearing in connection with the Order to Show Cause, Hearing Designation Order and Notice of Opportunity for Hearing ("Order") issued by the Commission in the above-captioned proceeding on April 19, 2011. In the same proceeding, MC/LM has been ordered to show cause why certain of its licenses should not be revoked.

The Commission has stated that renewal, assignment/transfer, and revocation proceedings "are in the nature of an enforcement action against a licensee and the imposition of a fee against the licensee would be inconsistent with the licensee's right to a hearing."<sup>1</sup> Since the instant proceeding involves the Parties' pending assignment applications in the context a proposed license revocation, we believe that a filing fee is not required for them to participate in the subject Hearing. To the extent a filing fee is required, the Parties request a deferral of such fees for the reasons stated previously by the Commission.

---

<sup>1</sup> *In re Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985*, 2 FCC Rcd 947 ¶143.



KELLER AND HECKMAN LLP


Steven VanRoekel

May 6, 2011

Page 2

Your attention to this matter is appreciated. Please do not hesitate to contact the undersigned if you have any questions or concerns.

Sincerely,



Jack Richards  
Partner